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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,984	06/30/2003	Lee Weinstein	200303570-2	1129

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

WOO, STELLA L

ART UNIT PAPER NUMBER

2643

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/609,984	Applicant(s) WEINSTEIN ET AL.	
	Examiner Stella L. Woo	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-12, 14, 16-28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-12, 14, 16-28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 8-12, 14, 16-28, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratz (US 6,310,940 B1) in view of Mansfield (US 6,693,996 B2).

Regarding claims 1, 9, 12, 14, 16, 19, 21-22, 25, Ratz discloses a communications system (PC interactive phone system 100), comprising:

a telephone (telephone set 104A);

a telephone network system (house phone wire network 101);

an interface unit (adapter box 202A includes PCIP adapter 102A);

a device (PCIPL board 142); and

a communications routine executable in the device to control communications of voice data between the telephone and the data network (controller 346 in PCIPL board 142 controls communications of voice data between telephone set 104A and the outside telephone network 106; col. 6, lines 9-41; col. 15, lines 22-37);

wherein the interface unit is configured to modulate a first radio frequency (RF) carrier that comprises voice data that originates from the telephone (PCIP adapter 102A includes AM transmitter 706 combines the sine wave from the LP filter 704 and audio from SLIC 312 into an AM modulated audio signal; col. 11, lines 58-63; col. 12, lines 52-

55), and to demodulate a second RF carrier that comprises voice data that is sent to the telephone (AM demodulators 708 and 710 operate as an AM receiver to receive modulated audio signals from the mixer 728, demodulate the audio signal, and send the demodulated audio signal to the SLIC; col. 12, lines 56-64); and

wherein the first RF carrier is transmitted by the interface unit across the telephone network system to the device without signaling an off-hook indication on the telephone network system (a user of telephone set 104A can speak commands over the house phone wires 101 without having received a dial-tone indication; Figure 9, note steps 910 and 916; col. 14, lines 61-66; col. 15, lines 53-55; col. 16, lines 64-67).

Ratz differs from claims 1, 9 12, 14, 16, 19, 21-22, in that it does not teach the outside network as being a data network. However, Mansfield teaches the desirability of connecting extension telephone sets to a data network (via broadband access 104; Figure 1) such that it would have been obvious to an artisan ordinary skill to incorporate such connection to a data network, as taught by Mansfield, within the system of Ratz in order to allow for voice telephone communication over the Internet.

Regarding claims 2-4, 10, 17, 20, in Mansfield, the broadband network uses the Internet protocol (col. 3, line 3).

Regarding claims 8, 18, 30-32, in Ratz, speech recognition software 604 interprets voice commands received from telephone 104A (col. 16, lines 20-26).

Regarding claim 11, Ratz provides for multiple telephones 104B...104N connected to house phone wire network 101 (Figure 2).

Regarding claims 23-24, in Ratz, when a telephone receives an incoming call, the user hears a ringing sound (Figure 14, step 1416).

Regarding claims 26-28, audio signals can be transmitted between PC system 141 and each of the PCIP adapters 102A, 102B, ... 102N without interfering with the voiceband signals on telephone line 101 (col. 14, lines 29-41).

Response to Arguments

3. Applicant's arguments with respect to claims 1-4, 8-12, 14, 16-28, 30-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

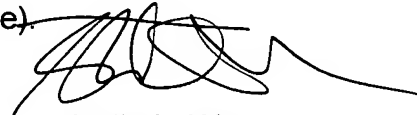
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stella L. Woo
Primary Examiner
Art Unit 2643